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### The Greatest of Circles.

The intended peregrinations and official gyrations of the Secretary of War possess much interest for philosophers. Mr. TAFT expects to start next Saturday for Gatun Dam and elsewhere. Common report has in store for this diligent public servant and intrepid traveller an amazing series or succession of journeyings, between now and the beginning of the Presidential year, which will take him to Panama, Colon, Cuba, Porto Rico, Canada, Alaska, the Philippines, Guam and Tutuila, with brief intervals of domestic employment.

Other candidates, active or passive have swung around their chosen circles; no circle was ever drawn with a radius anything like this.

We note one thing, however, about the Taft itinerary distinguishing it from all precedent and previous experience even more signally than the matter of mere distance. We refer to the paucity of delegates. In all these tens of thousands of miles of campaigning we can discern not more than eighteen possible votes in the convention, and the Recording Angel well knows that six of these are already sworn for CANNON.

No delegates worth speaking of anywhere between Gatun and Guam! That is why we say this particular itinerary has a fascinating interest for the phil- Orleans at the time of its cession to the osophical mind.

### A Superfluous Conference.

The National Civic Federation, forever illustrious for the trust conference which it assembled at Chicago in 1899, seeks new dangers and laurels. It is going to call another session of the parliament of thought, some time in May at some city yet to be chosen. Federal and State regulation of corporations and the operation of the Sherman act against trusts will be the chief themes to be pondered. The Governors are to be requested to appoint delegates. Divers bodies and associations, mercantile, farming, "labor," law, and so on, are to have seats in this great council. If the Hon. BOURKE COCKRAN gets back from Memphis and old Nile in time the glories of the memorable powwow of 1899 may be equalled.

With all respect to all the respectable, learned, eminent and worthy gentlemen who compose the National Civic Federation or will compose the "symposium" planned for May, will not their witenagemot be wasted? The Governors are likely to be kept busy with "consultations" with the All-Ruler at Washington. The regulation of corporations and of everything else is in one pair of capable hands. The "trust problem" and every other problem will be settled by the same final authority. There is, or was, a conference called the Congress; but it has learned its place.

The proposed conference may not be an impertinence, but surely it will be a futility. Why not give some of the money it would cost to the college debating societies?

# Kang Yu Wel.

KANG YU WEI, president of the Chinese Reform Association, arrived here from Europe on Sunday. For nine years he has been a forceful and picturesque figure in Chinese affairs. Much of that time, to be sure, he has been an outcast and a wanderer, keeping his head on his shoulders only by transferring his sphere of activity to foreign parts. Hongkong, Singapore, Japan, England and the Pacific coast of America have seen much of him in these years; and the world now watches and wonders as, one by one, the reforms for which KANG YU WEI preached and pleaded are made ready to be woven some day into the fabric of the Chinese national polity.

KANG YU WEI was the leading member of the party that in 1898 tried to launch China on the path of reform. He won the complete confidence of the young Emperor, who was induced by his zealous and patriotic mentor between June 11 and September 15 to promulgate twentysix decrees announcing reforms of the most revolutionary character in the policy and government of China. A week after his last decree the Emperor was swept aside by the Dowager Empress, KANG was a fugitive and several of his

colleagues had been executed. This great Celestial was right in his ideas of the needs of China and of the reforms the empire required; but the hour had not quite come. He was more zealous than judicious; he was precipitate when patience and caution would have served him better. He admitted the following year that he had been too fast. With a price on his head he has always credited the Dowager Empress with liberal tendencies, though she believed the time was not ripe for radical

political changes. The world now sees that eminent woman in a rather different light from that in which she appeared when she suppressed the Emperor and encouraged the Boxers. There is evidence now that she beli-ved reformatory measures were absolutely necessary, but they should be carried out slowly without startling the country by a large programme of innovation; and she encouraged the Boxers not because she expected to drive foreign influence out of China, but because, alarmed by the encroachments of the

the Boxer uprising might convince the | tion of probability, very unlikely to happen. Occident that it would cost more than it was worth to violate the territorial integrity of the empire.

The day of change dawned when the allied armies began the march on Pekin. The seed sown by Kang and his party is already bearing fruit. The reforms which he induced the Emperor to announce are the very measures that have been proclaimed by the Government of China. The education abroad of picked students preparatory to taking official positions, the abolition of classical essays as a part of civil service examinations, the study of Western science, legal procedure, administrative methods, systems of military drill and organization, the translation of scientific books and the opening of schools to use them as texts are all among the reforms announced in the Emperor's decrees. Some of the remarkable innovations now seen in China were not included in the Emperor's programme of 1898.

KANG YU WEI is now at the head of the Reform Association, which has 3,000,-000 members. He sees progress along most of the lines of change and improvement which he proposed. Perhaps his presence in China would not be permitted even now, but many of his ideas are showing great vitality there, and his writings circulate without hindrance throughout the country. Few great reformers have done more than sow the seed, but it has been the remarkable fortune of KANG YU WEI to witness the promotion and prosperity of the very ideas whereof the promulgation a few years ago made him a hunted fugitive.

### The Law Concerning Survivorship.

The recent disastrous wreck of the Channel steamer Berlin at the Hook of Holland has already given rise in England to serious questions under the law of survivorship as bearing upon the property rights of the heirs and next of kin of passengers who were lost. In commenting upon these controversies the London Lancet refers to the provisions of the French Code, which establishes presumptions in such cases, and that journal states that the rules which now exist in France in respect to survivorship were in force in the territory of United States and have since been incorporated into the code of Louisiana. The Lancet adds: "They have also with some modifications been adopted in the State of New York."

This statement as to the law of New York is erroneous. The rules in regard to survivorship which prevail in France. Germany, Spain and other countries which have derived their jurisprudence from the Roman law are not recognized by the law of this State. Indeed, they have found little favor in any States of the Union except in Louisiana and possibly to a limited extent in California In New York, when a number of persons perish by a common disaster there is no legal presumption that any one has survived any other, in the absence of proof as to the actual fact.

It is quite otherwise under the civil law. The Code Napoleon provides that where several persons perish by one and the same accident, so that it is not possible to ascertain which of them died first, the presumption of survivorship depends upon the age and sex of those who have perished. If those who have perished together were under fifteen years of age. the eldest is presumed to have survived. If they were all above sixty, the youngest is presumed to have survived. If some were under fifteen and others more than sixty, those under fifteen are presumed to have survived. In a case where those who have perished together were more than fifteen years of age but less than sixty, the male is always presumed to have survived, where ages are equal or the difference does not exceed one year. In such a case, if those lost were of the same sex, the younger is presumed to have survived the elder.

In addition to these presumptions established by the French Code and having, of course, in France all the force of positive statute, there are several general considerations to which much weight is given by the courts in those jurisdictions whose law is derived from that of Rome. One of these is that man is deemed most likely to survive where man and woman perish in the same calamity; and another is that in cases of suffocation the woman is deemed likely to live longer than a man under the same conditions. In a very elaborate work on medical jurisprudence, by Professor Ru-DOLPH WITTHAUS of this city and Mr. TRACY C. BECKER of the Buffalo bar, it is stated that the presumption that man is most likely to survive where man and woman perish in the same calamity "received a melancholy confirmation in the wreck of the Atlantic in 1873, in which out of three hundred survivors from a steamer crowded with immigrants there was not a single woman or child." This statement is slightly erroneous, as there was one baby, less than three years old, among those who were rescued from that celebrated wreck.

In Mr. JOHN D. LAWSON'S well known book on the Law of Presumptions the rule of the English common law that prevails generally throughout the United States is stated in these words: "There is no presumption as to the order in which two or more persons died who are shown to have perished in the same accident, shipwreck or battle. The law regards them as having died at the same

instant." The last sentence in Mr. Lawson's rule is hardly an accurate statement of the law upon this subject as laid down by the highest court in this State. In the case of NEWELL against NICHOLS, which was decided by the Court of Appeals in 1878, it was held that in the absence of actual evidence as to survivorship the fact is assumed to be unascertainable and the property rights of those who have perished are disposed of as if death occurred at the same instant of time, not because of a presumption of simultaneous death, but because there is no evidence or presumption to the contrary. In that case Chief Judge CHURCH, who wrote the opinion of the court, said:

" It is not impossible for two persons to die at the same time, and when exposed to the same most the difference can only be a few brief seconds. The scene passes at once beyond the vision of human penetration, and it is as unbecoming as it is idle for judicial tribunals to speculate or guess whether during the momentary life struggle one or the other may not have ceased to gasp first, especially when the transmission of title to property depends upon it: and hence in the absence of other evidence the fact is assumed to be unascertainable, and property rights are disposed of as f death occurred at the same time. This is don resumption to that effect, but because there is no evidence and no presumption to the contrary."

The case in which this opinion was written arose out of the death of four persons on the same ship, the Schiller which was wrecked and totally lost near the Scilly Islands on May 7, 1875. The litigation related to rights, under a will, of the mother of the testatrix, aged 69 years; the husband, aged 45; a daughter, aged 10, and a son, aged 7 years; all of whom were lost on the Schiller. The law as laid down in the opinion of Chief Judge CHURCH on the presumption of survivorship has never since been questioned in the courts of this State.

## A Double Barrelled Bill.

On account of the impudence of the inspectors of police in their opposition to the Bingham bill, slight attention has been given to the section of that measure by which it is proposed to confer on the Commissioner power to organize a force of real detectives in his department yet this is a most important feature of the proposed legislation. 'At present the so-called "Detective Bureau" is composed of a few good men and a great number of incompetent chairwarmers. All, good and bad, are permanent fixtures in their jobs. The most stupid and useless of them cannot be assigned to other work, and must be kept on the roll, regardless of failure to perform his duties.

Meanwhile, there are in the Department men possessing the detective instinct, anxious to do detective work and capable of giving a good account of themselves in it. These men cannot be put into the bureau, however, because there are no vacancies. The law prevents the Commissioner from using the material at hand. It compels him to intrust investigations requiring a high degree of skill and industry to men whom he knows to be entirely untit for such tasks. This situation is eminently pleasing to its beneficiaries, the sinecure holders at 300 Mulberry street, and also to the criminally inclined portion of the population. If the Police Department is to be maintained for the comfort and sustenance of these, the existing arangement is ideal.

What the Bingham bill seeks to do is to give authority to the Commissioner to create a body of detectives consisting of men who have shown aptitude for this kind of work, to strengthen it by weeding out the incompetent and replacing them with promising policemen, and to bring it to a state of reasonable efficiency. The proposal does not seem particularly offensive. It may, indeed, commend itself to the honest folk of the community, to the householders, the tenement dwellers, the cave men of the apartment houses, the merchants, and to all who have an interest in the safeguarding of their lives and of their property.

New York will refuse to pass a bill conceived in good sense and designed to protect the honest residents of New York from the thieves and thugs?

# Contract Passes Under the Rate Law.

The question whether the prohibition of free passes in the first section of the railroad rate act approved June 29. 1906, applies to contracts to furnish free transportation for a valuable consideration made before the enactment of the law will soon come up in the United States Supreme Court on the appeal of the Louisville and Nashville Railroad Company from the judgment of the Federal court at Louisville in favor of ERAS-MUS L. MOLTLEY and his wife.

Injured in a collision at Randolph Station, Ky., in 1871, MOLTLEY and his wife agreed to accept free transportation during their lives in lieu of damages. On January 1, 1907, the company refused to issue annual passes to Mr. and Mrs. MOLTLEY, on the ground that it would render itself liable to a fine of \$2,000 for violating the section of the so-called railroad rate law, which provides that "no common carrier subject to this act shall, after January 1, 1907, directly or indirectly give any interstate free ticket. free pass or free transportation to passengers." There are some thirty or forty classes of travellers excepted, and some of the exceptions might be liberally construed, but by some oversight continuing contracts for free transportation and for valid consideration were not dealt with in the act. There have been cases of a grant or promise of free transportation instead of cash payment for a right of way; and suits for loss of goods in transit, for damage to adjacent property by fire and for breach of many forms of contract, as well as for injury to the person, have been settled by an agreement to give and to receive free trans-

portation for a term or for life. Upon the refusal of the company to issue annual passes to them the MOLTLEYS brought suit, and Judge Evans, holding that it was not the intention of Congress to interfere with rights acquired under a bona fide contract, ordered the company to furnish the passes as usual There was, of course, an appeal from the decision. It may be presumed that hundreds of similar contracts were in existence at the time of the enactment of the Hepburn law, and the companies no less than the original pass holders are interested in a final adjudication of this vexed question. It is probable that upon the advice of their attorneys some companies have continued to issue passes for valuable consideration and even for services performed. In each case they nay have rendered themselves liable to a fine of \$2,000, and unwittingly the pass user may have exposed himself to the same penalty, since it is to be visited

upon receiver as well as giver. It would be a peculiar irony if the first decision of the highest court upon a disputed point in the rate law were to sweep Powers upon Chinese soil, she believed trend under like circumstances it is not, as a ques away the vested right of a passenger and effects.

relieve a railroad from the performance of a responsibility it had never contested. The opinion of Judge Evans in the district court seems rational, since a pass is in the nature of a gift, a gratuity or a favor, at least in theory, and the transportation given to the MOLTLEYS was in fulfilment of an agreement which could have been enforced in a State or Federal court.

### Mr. Fairbanks.

The country looks up to the Hon. CHARLES WARREN FAIRBANKS. It finds rest and quiet in his occasional addresses. It sees in him the representative of the healthful, invigorating yet never boisterous forces of virtue and buttermilk. It knows him as a man who will not make enemies rashly, whose eloquence is ceremonial, warranted safe and intelligible for all good children of Sunday school age. In this rude and rapid age it ought to be a consolation and a moral strengthening to feel that whatever dangers may be reserved for the United States, whatever trouble may be in store for future Presidents, Mr. FAIRBANKS is ready to move into the White House whenever the country asks him. With his reserve and surplus of approved wisdom, with his command of all the resources of the copybook, with his unfaltering adherence to the good and the true, he is a statesman whose moral worth and invicible willingness to please stand at least as many hands high as he does. We submit, most respectfully, however,

that Mr. FAIRBANKS is injudicious in his efforts to hustle. Why should he make four speeches in one day, as he did in Chicago? One speech of his a week is as much as any community ought to be called upon to digest. Moreover, in rushing from breakfast to luncheon and dinner, from hall to hall, from hand to hand, Mr. FAIRBANKS incurs odorous comparisons. He should attempt no whirlwind campaign," no cyclonic bustling, no wild sprinting, no monopoly of all ears, no irresistible obsession and possession of the public. A halcyon and vociferous activity does not become him. Let him be bland, sedate, quiescent

Olympian, calm. Besides, Mr. FAIRBANKS is altogether too rash and sudden, too premature. He should make himself expected. The nation should be conscious that he is wise and good and "receptive." He should hunt delegates on the quiet. He should not be visibly too eager and anxious.

It is curious to see how the all shadowing figure at Washington has affected even the Skyscraper. A woolly horse cannot well be kept dark, but at least it should not try to imitate more mettled

Labor is employed at better wages than ever before, and our eighty-five million people are eat-ing three times eighty-five million full meals a day, wearing unpatched clothes and sleeping sweetly at night.—Ex-Secretary Shaw.

About the unpatched clothes there may be a question-honest thrift can wear a patch; but there is enough work and food in the country for all and sleep is an untaxed necessary. Perhaps Mr. Shaw was trying to improve upon the full dinner pail. As a bouncing optimist he is second to none.

# The Value of Perspective.

TO THE EDITOR OF THE SUN-Sir: It has struck me recently that what this nation needs most is a knowledge of perspective. Could all our statesmen, railroad presidents, citizens, and first, but not least, our Chief Execative, realize that there is such a thing as a middle distance, much good might come out of such knowledge. In drawing a panorama in perspective, the draughtsman soon realizes that if he places his picture plane too near the object of interest in the foreground, the object is enlarged and distorted in relation to the balance of the picture. For instance a two cent railroad fare rate all over this large continent would, I venture to say, seem to a student of perspective (as applied to economics) about as ridiculous as a law that from April 1 (note the date) next all stocks on the New York Stock Exchange shall start

at par (100). Looking back in history I find that or nation's belief in the infallibility of the President has a parallel in the belief the subjects of Canute had in that most wise ruler. The story goes that his people believed that even the osean would recede at his bidding. To prove them in error he placed himself in a chair on the shore as the tide was about to My only fear is that our President might do the same thing, only on an ebb tide,

# PRINCETON, N. J., March 18.

TO THE EDITOR OF THE SUN-Sir: I attended dinner party consisting of nine persons at one of your fashionable restaurants several evenings ago. There were four men in the party—one of your most distinguished American painters, a prominent Italian sculptor, an army officer and them until the Italian suddenly lifted his glass and proposed : "Here's to whiskers." t was rather an unexpected thing to do, but when

all of us had looked about for an explanation it was seen that every man of the four wore whiskersreal whiskers on chin and jaw and lip. Comment became general thereupon and none in the part ould recall a similar whiskered experience in any group of men at any assemblage. May this be considered an indication that intel ectual men take to whiskers, or that whiskers

are becoming more in vogue than they have been during the past few years? NEW YORK, March 17.

#### Are Red Haired People Brightest? TO THE EDITOR OF THE SUN-Sir: Looking over the help wanted ads this morning I came across

this one "Boy Wanted-Red haired boy wanted for office work."

That seemed strange to me-why should any body want a red haired office boy, any more than he would want one brown or black haired? But a friend of mine tells me that a red hatred boy would be quick and smart; that red haired people are bright. Is that so? I never heard of that before. Are

red haired people any quicker or smarter or brighter than people with hair of another hue? INQUIRER. NEW YORK, March 19.

# The Shame of London.

TO THE EDITOR OF THE SUN-Sir: The reason that the cocktail tastes differently in New from its brother cocktail in London is that the London cocktail is not a cocktail, but a blend. No wonder the cocktail is not a success in London.

If the London bartenders would stop selling alcohol and chemicals under the name of tails the reputation of that excellent beverage would be greatly increased. BON VIVANT NEW YORK, March 19.

# English in the Orient.

From the London Dasy Mail. A trading firm at Pekin has received the following communication: "Dear Sir—The Chinese calendar in your company is glance in looking. sure surpassing all the others; and also it is gigantic beyond example in connexion with its fine spectacle, while I look at it. I shall be very much obliged, if you will kindly give me some pieces, as have great deal of interest of it."

Latest Truths About the Colon. From the New York Medical Journa! The colon bactilus is usually ranked in the sapro phytic group of bacteria rather than placed among he organisms distinctly pathogenic for man; but we know that it is far from being devoid of virulence, and that it is capable under certain conditions of gaining increased powers of invading the organ-

ism and of manifesting very definite pathogenic

## INFANTRY AMMUNITION. The Soldier's Portable Supply the Great

Perhaps the gravest question for the com mander of infantry in our day is that of ammunition supply, a question which involves the necessity for a large supply carried by the soldier, the control of its use or expenditure to the best advantage and a sure

means of replacing the used ammunition. It is a fact worth noting that the number of rounds carried by the soldier has not in creased in the same ratio as the rapidity of The bringing up of ammunition has been made more difficult on the battlefield on account of the greater accuracy and the flatter trajectory of the modern arm, which extends the zone of danger behind the firing line. The advance of ammunition wagons or carriers to the firing line has become almost an impossibility during the progress of heavy engagement.

All nations are striving to increase number of rounds carried by the soldier. The Germans have accomplished this to a certain extent with their rifle "98" and their socalled "S" ammunition, a pointed bullet of small weight but high velocity. The number of rounds that could be carried by the soldier

was raised from 120 to 150.
Other nations have attempted to increase the number by reducing the calibre of th piece, and others again by the use of special cartridge belts, pouches or bandoliers, dis tributing the weight more conveniently.

The French have tried to accomplish the object of doing greater execution in a different way, not by increasing the numbe of rounds carried but by controlling th expenditure of ammunition by tactical meas-They limited the occasions whe individual rapid fire, which wasted so much ammunition, could be used, prescribing tar gets of special importance and adopting the so-called rafale fire. The French army is also at work on the problem of how. out increasing the total weight carried by the soldier, the number of rounds of ammunities carried can be raised to 200 a man. Th condition is imposed that the soldier not carry more than forty-four pounds in all including two field rations and shelter tentage: moreover, the pack must admit of division, so that when the soldier goes into action he can take only the absolutely necessary, 200 rounds, his rations, tentage, over

coat and cooking utensils or mess kit The Russo-Japanese war furnishes some interesting data on the subject of ammuni tion. The regulation supply for the Japa nese 0,236 Inch rifle was 120 rounds a man. The Japanese believed that simed mass fire was the surest means of attaining fire supremacy, accepting the dictum that the mor the fire action is condensed (delivered in short

the fire action is condensed (delivered in short periods of time) the greater its effect, and hence that victory can be insured only by the long continued use or expenditure of a large amount of ammunition.

It was therefore necessary to furnish the soldier with as great an amount of ammunition as possible when he went into action. The Japanese accomplished this by laying a side their knapsacks and making a roll of aside their knapsacks and making a roll of aside their knapsacks and making a roll of their pack, which was carried in a long bag over one shoulder en bandoliere. Into this roll, which contained two or three days raroll, which contained two or three days rations, the soldier stuck as many rounds of ammunition as he could get, often 200 to 250. Others were their overcoats into action and filled their pockets with cartridges. Each company had a light ammunition cart carrying about 16,000 rounds, but the poor roads prevented its use, and pack animals were preferred, or light wagons drawn by horses or coolies, or even carried by coolies.

The Manchurian campaign furnished no important examples of surprise battles: all the great actions developed slowly, so that the Japanese could provide beforehand for the animunition supply, and this was done

the animunition supply, and this was done very effectively. Data are available only for the earlier actions, and from these it appears that at the battle of the Yalu the Japanese troops fired seventy-five rounds a rifle; at Kintchow the troops most energetically engaged fired 143 shots a rifle. The troops were seldom out of ammunition, but this did happen with one regiment in the Yalu fight, with several battalions of Nodzu's army at Liaovang, and once before Port Arthur at 203 Metre Hill.

wang, and once before Port Arthur at 203
Metre Hill.

The supply of ammunition from the rear was brought up by ammunition carts. These followed the troops and came up as close as possible to the firing line, taking full advantage of all cover. Trained workmen carried the ammunition to the firing line. The Japanese reckon about 10 per cent. of the fighting force as workmen, who relieve the soldiers of much work, fill the details that must otherwise be made from the troops (thus keeping the ranks of the fighting force full) and carrying up the ammunition in battle. These men are carefully trained and made to feel highly honored by their position and duties, but it is doubtful if any other nationality would look upon such duty as that of a good fighting man.

fighting man.
The Russian troops also carried 120 round The Russian troops also carried 120 rounds according to regulations, and each battalion had a two-horse ammunition wagon with 14,400 rounds, each company a one horse cart with 6,600 rounds, so that in all there were seventy rounds per man in the vehicles. The division park had twenty-four wagons each with 14,400 rounds, and the method of supply was similar to that of all modern armies.

each with 14,400 rounds, and the method of supply was similar to that of all modern armies.

Like the Japanese, the Russians made every effort to give the troops going into action as many rounds as possible. Each man had from 250 to 300 rounds, which he carried in his knapsack or in his pockets. Their battle tactics were mainly defensive, so that they could readily prepare beforehand for a good ammunition supply.

At Liaoyang, for example, Kuropatkin ordered each company to have a reserve of 2,000 rounds, and at Mukden each battallos had a reserve supply of 60,000 rounds.

In spite of this apparently enormous supply the Russians were often out of ammunition. At Liaoyang on August 30, 1904, the Thirty-sixth Regiment of Infantry fired 416,800 rounds, the Thirty-fourth (only two battalions present) 250,000 rounds, or in both about 180 shots a man. Other regiments fired on single days 400 rounds per man, and on the Shaho one regiment after firing 220 rounds per man had only three or four rounds left when the Japanese arrived at 180 yards distance.

The cause of this great expenditure of

distance.
The cause of this great expenditure of ammunition was the tactical error of firing unaimed volleys at 1.600 to 1.100 yards, and poor, unaimed rapid fire at small, unimportant poor, unanted the targets.

The tendency to reduce calibre has reached its limit, because of the lack of stopping power of the smaller calibre bullets, but in order to increase the muzzle velocity by reducing the air resistance there is a tendency to make the small arm bullet more pointed, the Germans do.

## Spirited Defence of Old Man Greenhut. TO THE EDITOR OF THE SUN-Sir: I must rais

my voice against the so-called "impeachment" of OLD MAN GREENHUT—please spell it all in capital letters, as "Gambler" went so far in his petty criticism and spite as to refuse to spell even Greenhut with a capital. This tin horn Frie Gambler" calls Greenhut and his crowd a "bunch of robbers and murderers." That shows he has failed to read the witty, entertaining, vivacious, epigrammatic, full of human interest, never dull and ever to be continued series of Greenhut stories with a true appreciation of the merit of their phi losophy. This is true, as "Greenhut" has not once but often made it plain to even a brainstormed mind shaken by the Frisco earthquake of last April and not yet at its equilibrium that "poker is not gambling." "Gambler" says: "It is difficult to imagine a man

able to write at all who would describe such charac It is! It is, poor shaken son of California That is why The Sun gets hold of such a man. It prints all he will write. "Gambler" says this question of the Greenhut stories is an important matter to him. So it is to the writer and other Greenhut admirers, among whom is included every man know who reads THE SUN on Sundays I would like to ask why is it that this series of

stories is not printed in book form. Other serie that have appeared in THE SUN have been so pub-lished and the "Old Man Greenhut" stories are far superior to some of the namby pamby slush re-GREENHUT ADMIRER. BROOKLYN, March 18. TO THE EDITOR OF THE SUN-Sir: In yesterday's

bler." who protests against any more communica ons concerning "Greenhut." You go right on with "Old Man Greenhut" and never mind what "Gambler" says. Let us have the old man's bungstarter, Jake Winterbottom and Joe Bassett: and can' you bring in old Bascome of Confederate X roads of the war time days? DEACON. AMESBURY, Mass. March 18

ssue there is a short communication from "Gam

#### Couldn't See Reason for Encomiams From Amrita Bazar Patrika. On reading the advance copies of some of the addresses proposed to be given to him in India,

the Amir is reported to have remarked that he did not quite understand why the address givers had heaped so much praise upon him when he and they were perfect strangers, and when he had done them nothing personally to deserve such encomiums. He therefore put them down either for insincere mer er people who had some ulterior object in view

# REGULATION AND DEFINITION.

What is the Constitutional Meaning of "Commerce" and "Among"?

TO THE EDITOR OF THE SUN-Sir: The correct construction of the interstate commerce clause of section 8 of Article I. of the Constitution does not depend so much on the proper meaning of the word "regulate. for that is defined by the reference to commerce with foreign nations and with the Indian tribes, as on the words "commerce" and "among," two of our "commonest" to which we have "admitted hastily" the most ridiculous significations within the past few We "have been accustomed to see years. taken for granted" that "commerce among the States under laws more or less favorable to intercourse and "transportation across" the borders of States are interchangeable "Commerce" (cum, with; mercor, to trade), the word of the Constitution, is simply the

transaction of buying and selling. The word signifies that there must be a merchant and merchandise, but not necessarily a barter or a transporting-to carry over. Hence Congress is concerned with the merchant, or taxpayer, and the merchandise, on which tax may be levied. It is not concerned. by the powers of the Constitution, with the barter nor with the transportation on private rights of way. In the case of transpor-tation on roads and waterways open to pubic travel it is concerned, besides, with the proper use of the ways by the public, but not in the transportation except in instances which formerly were the rule—that the transportation interest was also the merchant. It is the interest of those merchants who also engaged in navigation, as a matter of necessity, that Congress undertook to "regulate according to clause 6. section 9 of Article I. of the Constitution; in compliance of which Congress passed, in 1790. "An act for the 'government and regulation' of seamen in the merchant service.

I am aware that commerce has been defined as "traffic." It is from such a false construction that we have so much harmful legislation by the captains of injury who are non-supporters of anything. This traffic is represented as including "transportation"

nicious construction, and a perversion occurmon sense.

Moreover, the regulations of Congress shall "among" the several apply to commerce "among" the several States. Had environment been intended, the word "amongst" should have been used. As discrimination between States is probibited by the Constitution, it only remains to say that distribution is signified by the word "among." The term "commerce among" the several States, therefore, means that comword among. The term "commerce among" the several States, therefore, means that commerce which "mingles" or distributes to the "many," i. e., domestic commerce. Clearly, this is a unit, and cannot be separated into parts, and the term "interstate" is a misnomer. The term "regulation" in reference nomer. The term "regulation" in reference to domestic commerce applies to such rivalry between the States as formerly was the rule, and which led to reprisals by one State upom another. This situation is shown amply in the addresses of Alexander Hamilton and Edmund Randolph before the Constitutional Conventions of New York and Virginia respectively.

The true intent at the regulation of commerce under the Constitution is given in that farewell address which is the combined intelligence of Washington, Madison, Hamilton, and Chief Justice Jay, as follows:

The North in an unrestrained intercourse with

telligence of Washington, Madison, Hamilton, and Chief Justice Jay, as follows:

The North in an unrestrained intercourse with the South, protected by the equal laws of a common Government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same intercourse benefiting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated—and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East in a like intercourse with the West, already finds, and in the progressive improvements of interior communications, by land and by water, will more and more find, a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence and future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest, as one nation. \*\* \*\* Harmony, liberal intercourse with all nations, are recommended by policy, humanity and interest. But mony, liberal intercourse with all hations, are ommended by policy, humanity and interest, even our commercial policy should hold an and impartial hand; neither seeking nor gra and impartial hand; neither seeking nor granting exclusive favors and preferences; consulting the natural course of things; diffusing and diversifying by gentie means the streams of commerce, but forcing nothing; establishing with Powers so disposed—in order to give to trade a stable course, to define the right of our merchants and to enable the Government to support them—conventional rules of intercourse, the best that present circumstances and mutual opinion will permit; but temporary and liable to be from time to time abanand liable to be from tim as experience shall dictate

For the maintenance of such a state of armony and "community of interest," these men advised: Toward the preservation of your

and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular opposition to the acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts.

SCRANTON, Pa., March 18.

#### The Canal and the Transcontinental Railroads.

TO THE EDITOR OF THE SUN-Sir: McDon ald says that the transcontinental railway lines have determined the Panama Canal shall not be built. They deny it. The facts are that previous to the President's purchase and afterward Western railway interests have controlled the situation.

Recall the efforts of C. P. Huntington

against a canal, and his successors have kept it up all right. The President has been imposed upon. Remember the difficulty experienced in

getting the Western railway men to resign as directors of the Panama Railroad. As they received no compensation and had to travel from Chicago to attend meetings it was a hardship-not much. They held rates so high that the transcontinental railway lines were not injured very much, and they also demonstrated that the canal was not necessary, as they could do the business.

All praise to the President in deciding to have the army engineers do the "digging." He will now get results. NEW YORK, March 19.

#### Revenue Officers' Burden. From the St. Louis Republic.

United States revenue officials in the Federal outliding are worried. Commissioner Yerkes dealt them a "sockdolager" yesterday, in his report to Treasury decisions. It was a word containing The instructions to the revenue officials are

"You will please inform the manufacturers of watches in your district that in accordance with section 80 of Regulations No. 30 the following formula has been authorized for use in manufac-ture of watches: To 100 gallons of alcohol add five gallons commercially pure methyl alcohol, one and one-half pounds cyanide of potassium and oneeighth of an ounce of acid calcium, magnesium or sodium salt of the disulpho acids of 'meta oxytetraethyldiamidotriphenylcarbidrids."

#### Settled a Serious Question. From the Topeka State Journal.

A poor working girl noted for her prudence and practicality has lately been pondering the problem of whether to buy an umbrella, which she very much, now the rainy season is coming on, but doesn't at all want, or an Angora kitten which she doesn't exactly need, but wants so much that it keeps her awake nights. The other day she settled t to her own satisfaction by deciding on the kitter which she thinks is ever so much more practical shan an umbrella, because you can only use an umbrella when it is raining, but a kitten you have with you always. Besides, you can born umbrells, but nobody would lend an Angora. you can borrow an

# From the Boston Herald.

Hingham has the oldest church edifice nor use in America-the First Unitarian Church. The building is 225 years old. John B. Lewis has been sexton and bell ringer at the church for more than

#### Old Favorites Improved : After Wordsworth. THIS TOWN IS TOO MUCH FOR US.

This town is too much for us; late and so Getting and spending, we lay waste our powers; Little we see in New York that is curs; We have blown our wad all in, sordid boon! This town that bares her bosom to the moon The cabs that will be waiting at all hours And are upgathered now like sleeping flowers-For this, for everything, we are out of tune;

It moves us not. Gee whiz! We'd rather be In Brooklyn, dressed in a sult outworn, So might we, standing on that distant lea. Have glimpses that would make us less forlorn. Have sight of Staten Island rising from the sea. Or hear old Coney blow his phony horn.
W. J. LAMPTON.

# BOSS BRAYTON.

Physically a Grand Specimen of Manhood. Says a Tolerent Critic.

TO THE EDITOR OF THE SUN-Sir: A few facts regarding General Charles R. Brayton and present and past conditions in Rhode Island may be of interest just now

General Brayton is and has been for many years the sort of political manager known as "boss"; but his influence has not been due chiefly to money placed at his disposal. He has an excellent civil war record, having

earned his title of General by brave service

in the field. He belongs to one of the old Rhode Island families, and that means that he is connected by ties of blood or marriage with about all the descendants of the first settlers. Physically he may be described as setters. Physically he may be described as a grand specimen of manhood, being of statura almost gigantic, and well proportioned. His features are handsome, with a rugged maniness of expression. He is not magnetic in the sense in which that word is commonly used, but there is a frank bonhomic about him that readily makes friends for him. He is hall fellow well met with country people generally, and with a very large number of the serially, and with a very large number of the erally, and with a very large number of city people. Under the Rhode Island city people. Under the Rhode Island Control of the Country element dominates of General Assembly and controls State affairs. In considering the enormous power given

scitution the country element dominates the General Assembly and controls State affairs. In considering the enormous power given to the rural districts by the State's fundamental law, it should be remembered that if under a different system representation on the basis of population were granted to the cities a local Tammany Hall could be established that would have no "up State." as in New York, to check its operations, with the result that it could exercise a tyranny compared with which General Brayton's bossism" is mild and innocuous.

The State is improving, instead of sinking, in political morals. At the great contest in the '60s between Sprague and Padelford for the Governorship there were tables near the polling places at which money was openly handed to voters, in sums ranging from \$10 to \$50. One man told me he "got enough to shingfe his barn." Such an exhibition would not be tolerated now. Besides, the Australian ballot protects the voter and makes bribery a doubtful investment.

In all the wars in which the nation has been engaged Rhode Island has been among the first in the field; but in civil affairs the State has moved slowly, and, as its prosperity indicates, wisely.

New York, March 19.

New York, March 19.

## OUR TRADE WITH GERMANY. Why a Tariff War Is Not to Be Feared by

the United States. Dissection of our 1906 fiscal year exports to Ger any and a checking of each item with the present tariff of that country show that we should have little or nothing to fear from Germany if its maximum tariff were to be enforced against us. Of our total exports of \$234,000,000 in 1906 the following

Raw cotton.... Copper..... 18,000,000 10,000,000 Oil..... Fertilizers.... Naval stores... 5,000,000 Furs and skins ... 2.000,00 Total ..... \$139,000,000 The German maximum duty on the following

ems is so small that little or no benefit would accrue to us if we were to reduce our tariff to se cure a reduction of the German duty. Oil cake and meal..... \$6,000,000 2,000,000 Seeds. 1,500,000 Total.... \$12,000,000 There are two other items-provisions and food-

stuffs, export total in 1906 \$46,000,000 on which Gormany has a high duty, with arrangements for a small reduction by treaty. The German Agrarian party secured the limitation of the treaty reduc-tion to increase agricultural production and reducagricultural imports. Ever since agricultural pr cultural imports have not decreased, but on the contrary have sensibly increased. Germany has had neither land enough nor farmers enough, its standing non-producing army being too large to do high duties on provisions were imposed for similar reasons, with the result that the people have ever since suffered from the scarcity and high prices of food products. Factory workers have to be fed and Germany, like Great Britain, is a nation of factory workers. Germany has a population of 61,000,000, two-thirds the size of ours; yet Call fornia, with only 2,200,000 people, is two thirds as large as Germany. That tells the story, and for the same reasons Great Britain refrains from tex-ing imported food products. A nation unable to raise enough to feed itself cannot afford to tax its od. To sum up the exports to Germany in 1906 and to illustrate by tariff conditions which

On German free list. On treaty reduction list ...... 46,000,000 Exports to Germany in 1906, entire . . . . Balance ..... \$37,000,000

seem necessary to Germany we have

This balance includes tobacco, \$4,000,000, and iron, steel, wood, leather and cotton manufactures, drugs and chemicals and agricultural implements. \$15,000,000. The remainder of the \$37,000,000 amely, \$18,000,000, is also largely for manufactured products, where the cost of skilled labor is an important item in the cost of production. On these manufactured products, says the Protectionist of Boston, Germany Imposes and will continue to bor, not against the high priced labor of the United States, but against the competition of countries where wages are below the German level, Great Britain, Belgium, France, Italy, &c. Against the importation of American goods Germany already has three kinds of protection: First, a lower scale of wages: second, the high duties of the Ger tronclad German patent laws. A lowering of the German tariff rates on manufactures in return for similar favors on our part would still leave German manufactures safely intrenched behind the chie bulwarks of German protection, low wages and

discriminating patent laws. Now let us see what Germany might suffer if we were forced to return retaliation for retaliation. In the same fiscal year 1906 our purchases from Ger many amounted in value to \$135,000,000, These included the following:

Cement. Copper (free) 586.000 16,500,000 Cotton manufactures. Earthen, stone and china ware Furs and fur skins (free) 1.165.000 Hides and skins (free, except cattle hides India rubber. 034,000 Gloves of kid or other leather. Paper stock (free) 6.341,000 Slik goods ..... Wines 492,000 Sugar. Leaf tobacco... 349,000

Woollen cloths. Woollen dress goods .. 2,082,000 Barring styles and fads, which we can drop if cannot make ourselves or buy elsewhere. Ge many would certainly get the worst of it in a tark't war with the United States. We would have much to gain and little to lose, while Germany would have much to lose and little to gain. Econe

we need not fear Germany. In conclusion it may be noted that our exports to Germany in the 1906 calendar year were \$30,000,000 more than in 1906, and our imports from Germany \$26,000,000 greater.

# In Prosperous Australasia.

Queensland State, Australia, offers free passage to agricultural immigrants and assisted passage to others. Free grants of 160 acres of land are given to those who pay their own fare.

Exports of the Commonwealth of Australia in 1906 amounted to \$340,000,000 while imports reached only \$225,000,000, giving a favorable balance of trade of \$115,000,000. After paying all interest and div

dend charges the Commonwealth has a balance of \$50,000,000 to its credit in London. Australia has \$3,000,000 sheep, an increase of 17,200,000 in three years. Cattle have tacteased In similar proportion. The wheat harvest is 000,000 bushels, of which 44 00,000 bushek is available for export. The bank clearings of Sidney

In 1906 were \$1,100,000,000, an increase of \$155,000 000 Western Australia's rallroads cost \$50,000,000 and are paying 4.6 to 5 per cent. The men permanently employed number 6.000. In the State there are now 175 telegraph stations, and 10,000 miles of wire

in use. Telephone exchange and railway fele-phones use 14,000 miles of wire. New Zealand has produced \$325,000,000 worth of gold in the past fifty years and yet the surfaces of the gold beafing deposits have been worked cor paratively little. Great possibilities awall further prospecting and mining, combined with selectiff methods. Coal mines and fron ore deposits are

close proximity. Knicker - Is he bull or a bear? Booker-Neither; since the panic he has been 9